

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

<b>UNITED STATES,</b>	:	
	:	
	:	<b>Criminal Action No. 1:08-cr-00171</b>
<b>v.</b>	:	
	:	
	:	<b>(Chief Judge Kane)</b>
<b>TIMO REMINGIO-MARTINEZ</b>	:	
<b>a/k/a CUAUTHEMOC</b>	:	
<b>REMINGIO-MARTINEZ</b>	:	
<b>a/k/a ARNULFO SOTO and</b>	:	
<b>FRANCISCO D. PEREZ</b>	:	
<b>a/k/a LIEUTENANT FRANK,</b>	:	
	:	
<b>Defendants</b>	:	

**ORDER**

**AND NOW**, on this 23th day of September 2008, upon due consideration of Defendant Timo Remingio-Martinez's Motion to Join and Adopt (Doc. No. 38) Defendant Francisco Perez's Motion to Suppress Physical Evidence (Doc. No. 33) and Defendant Remingio-Martinez's brief in support thereof (Doc. No. 56), the latter of which rests exclusively upon Jones v. United States, 362 U.S. 257 (1960), wherein the United States Supreme Court held that defendants charged with crimes of possession are entitled to claim "automatic standing" to challenge the legality of a search which produced the evidence against them without regard to whether they had an expectation of privacy in the premises searched, and which the United States Supreme Court explicitly and categorically overruled in United States v. Salvucci, 448 U.S. 83 (1980), **IT IS HEREBY ORDERED THAT** Defendant Timo Remingio-Martinez's Motion to Join and Adopt (Doc. No. 38) is **DENIED**.

s/ Yvette Kane  
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Yvette Kane, Chief Judge  
United States District Court  
Middle District of Pennsylvania